

Senate Bill No. 536

CHAPTER 355

An act to amend Section 435 of the Military and Veterans Code, relating to armories.

[Approved by Governor September 28, 2015. Filed with
Secretary of State September 28, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 536, Roth. Armories.

Existing law authorizes the Director of General Services, with the approval of the Adjutant General, to lease and sell real property held for armory purposes, subject to legislative approval. Existing law establishes the Armory Fund and requires that all proceeds from the sale or lease of armories be deposited into the fund, for use, upon appropriation by the Legislature, for specified purposes related to armories.

This bill would instead require the net proceeds, as defined, from the sale or lease of an armory to be deposited into the Armory Fund. The bill would, upon appropriation by the Legislature, require the Department of General Services to use moneys from the Property Acquisition Law Money Account for the purposes of selling armory properties. The bill would also specify that the sale of an armory is on an "as is" basis, and is exempt from specified laws. The bill would authorize the Director of General Services, with the approval of the Adjutant General, to sell specified armories pursuant to these provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 435 of the Military and Veterans Code is amended to read:

435. (a) The Director of General Services, with the approval of the Adjutant General, may lease for not more than 99 years or sell for fair market value upon terms and conditions and subject to any reservations and exceptions as may be determined to be in the best interests of the state any real property held for armory purposes. Real property shall not be sold or leased pursuant to this subdivision unless the Legislature, by statute, approves the sale or lease of the property.

(b) There is in the State Treasury the Armory Fund. All net proceeds from the sale or lease of an armory shall be deposited in the fund. The money in the fund is available, upon appropriation by the Legislature, for the maintenance of existing armories, and for the acquisition or construction of new or replacement armories, including, but not limited to, the cost of

design. The disposition of armory properties is not subject to subdivision (g) of Section 11011 of the Government Code.

(c) For the purposes of this section, “net proceeds” are the gross proceeds less:

(1) Outstanding reimbursements due to the Property Acquisition Law Money Account for costs incurred by the Department of General Services in selling an armory property.

(2) All costs directly related to the disposition of an armory, including, but not limited to, all costs and expenses incurred by the Department of General Services, as specified in subdivision (d).

(d) Notwithstanding subdivision (b), the Department of General Services shall, upon appropriation by the Legislature, use funds from the Property Acquisition Law Money Account for the purposes of selling armory properties. The Director of Finance may approve loans from the General Fund to the Property Acquisition Law Money Account.

(e) The sale of an armory shall be made on an “as is” basis and is exempt from Division 13 (commencing with Section 21100) of the Public Resources Code. Upon vesting title of the armory to the purchaser or transferee of the armory, the purchaser or transferee shall be subject to any local governmental land use entitlement requirements and to Division 13 (commencing with Section 21100) of the Public Resources Code.

SEC. 2. Notwithstanding any other law and pursuant to Section 435 of the Military and Veterans Code, the Director of General Services, with the approval of the Adjutant General, may sell any of the following properties:

(a) (1) Approximately 1.53 acres of real property with improvements made thereon, located at 340 North Orange Avenue, Azusa, California, known as the Azusa-Orange Armory.

(2) (A) The Director of General Services, with the approval of the Adjutant General, shall grant to the City of Azusa an option to purchase the Azusa-Orange Armory. The option shall expire on July 1, 2016. The purchase agreement may consider the contributory value of all capital improvements made to the Azusa-Orange Armory by the City of Azusa less the value of improvements made in lieu of rents during the term of the use of the Azusa-Orange Armory by the City of Azusa, and any state costs incurred in the sale of the Azusa-Orange Armory to the City of Azusa.

(B) On and after July 1, 2016, the Azusa-Orange Armory shall be offered for sale by general bid. Any purchase agreement pursuant to this paragraph shall include terms and conditions determined by the Director of General Services to be in the best interest of the state based on the fair market value of the armory as determined by an appraisal undertaken and approved by the Department of General Services.

(b) Approximately 1.78 acres of real property with improvements made thereon, located at 650 North Second Street, Brawley, California, known as the Brawley Armory.

(c) Approximately 3.35 acres of real property with improvements made thereon, located at 43-143 N. Jackson Street, Indio, California, known as the Indio Armory.

(d) Approximately 1.03 acres of real property with improvements made thereon, located at 11398 Bullis Road, Lynwood, California, known as the Lynwood Armory.

(e) Approximately .50 acres of real property with improvements made thereon, located at 600 South Park Avenue, Pomona, California, known as the Pomona Park Armory.

(f) Approximately 3.03 acres of real property with improvements made thereon, located at 700 E. Canon Perdido Street, Santa Barbara, California, known as the Santa Barbara Armory.

(g) Approximately 1.34 acres of real property with improvements made thereon, located at Route 1, Box 120, Yreka, California, known as the Yreka Armory.